



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Patent Application of

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MacLEAN et al

Atty. Ref.: 620-73

TECH CENTER 1600/2900

Serial No. 08/776,350

Group: 1642

Filed: April 18, 1997

Examiner: Ungar

For: TREATMENT OF CANCER USING HSV MUTANT

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November 20, 2002

Assistant Commissioner for Patents

Washington, DC 20231

Sir:

AMENDMENT

Responsive to the Official Action dated May 20, 2002, entry and consideration of the following amendments and remarks are requested; the period for response having been extended up to and including November 20, 2002, by submission of the requisite petition and fee, attached.

IN THE CLAIMS

Amend the claims as follows.

Cancel claims 46, 48, 49 and 50, without prejudice.

(Art 1)
43. (Three Times Amended) A method of treating a metastatic tumour which occurs in but does not originate from the central nervous system of a human comprising intratumoral or intracranial injection of an avirulent herpes simplex virus type I (HSV-1), said avirulent HSV-1 comprising a non-functional gene, wherein said non-functional

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